REMARKS

Claims 1-20 are pending in the application with Claims 1, 4, 6, 8, 13 and 20 being independent claims. It is gratefully acknowledged that Claims 8-20 have been allowed and Claims 3, 5 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner rejected Claims 1, 2, 4 and 6 under 35 U.S.C. §103(a) as being unpatentable over China Wireless Telecommunication Standard (CWTS), "*Physical Layer Procedures*", hereinafter referenced as CWTS1, in view of Gustafsson et al. (U.S. Patent No. 6,643,275 B1).

Reconsideration of the present application is respectfully requested.

Please amend Claims 1, 4 and 6 as set forth herein. It is respectfully submitted that no new matter has been added.

Regarding the rejection of independent Claims 1, 4 and 6 under 35 U.S.C. §103(a), the Examiner states that CWTS1 in view of Gustafsson renders these claims unpatentable. Claims 1, 4 and 6 have been amended as indicated above.

The present invention involves selecting, by a UE, one of a plurality of sync codes SYNC1 and transmitting information about the selected sync code to a base station, and checking, by the base station, the sync code for transmitting an ACK signal and transmitting the ACK signal to the UE by using an FPACH (which does not have a one-to-one mapping relationship with the sync code) to allow the UE to use an RACH. That is, sync code SYNC1 of the present invention does not have a one-to-one mapping relation to FPACH/PRACH (in particular, see page 9, lines 12-27 and page 11, lines 11-13). Consequently, FPACH including RACH information is transmitted to UEs as an Ack Signal for a plurality of sync codes SYNC1.

On the contrary, CWTS1 discloses a code SYNC1 and an FACH/RACH that have a one-to-one mapping relationship, as each RACH is paired with a Gold code (SYNC1) in UpPTS for

random access (in particular, see 6.4.2. DPCCH). In CWTS1, if a code SYNC1 selected by a particular UE has already been selected by another UE and a corresponding RACH has already been used, the particular UE cannot use the RACH. As a result, RACH allocation for the particular UE fails and thus another code SYNC1 for the particular UE has to be selected. Therefore, CWTS1 has no flexibility in RACH allocation, which is pointed out as a problem of prior art in the present application. Accordingly, CWTS1 does not teach "…wherein the FPACH has no relation to the selected sync code" as recited in amended Claims 1, 4 and 6. Further, Gustafsson does not cure this defect of CWTS1. Therefore, amended independent Claims 1, 4 and 6 are believed to be patentable over CWTS1 in view of Gustafsson.

Because the above amendments and arguments are believed to place amended independent Claims 1, 4 and 6 in condition for allowance, then, at least because of their dependency on these claims respectively, dependent Claims 2-3, 5 and 7 are also in condition for allowance. Again, it is gratefully acknowledged that the Examiner has allowed Claims 8-20.

Claims 1-20 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

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